UNITED STATES DISTRICT COURT DISTRICT OF MAINE

ARTHUR HARVEY,)
PLAINTIFF)
v.)) Civil No. 02-216-P-H
MIKE JOHANNS, SECRETARY OF AGRICULTURE,)))
DEFENDANT)))

AMENDMENT TO JUDGMENT

In accordance with the Memorandum Decision of November 2, 2006, the Consent Final Judgment and Order of June 9, 2005, is amended to provide that on Count 3, judgment is entered for the defendant Secretary. The Secretary is relieved from those terms of that Judgment that deal with Count 3.1 All other provisions of that Judgment remain in effect.

SO ORDERED.

DATED THIS 21ST DAY OF NOVEMBER, 2006

/s/D. Brock Hornby

D. BROCK HORNBY UNITED STATES DISTRICT JUDGE

 $^{^{1}}$ The plaintiff objects that he should first be allowed to appeal my ruling, but I believe that he needs a final judgment in order to appeal. If my ruling of November 2, 2006, was in error, then the First Circuit will vacate this amendment to the Judgment.

U.S. DISTRICT COURT **DISTRICT OF MAINE (PORTLAND)** CIVIL DOCKET FOR CASE #: 2:02CV216

Arthur Harvey,

Plaintiff

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 $\mathbf{v}.$

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